

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

DAVID WOOD,

Defendant.

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Criminal No. 20-cv-10006-NMG


ORDER

BURROUGHS, D.J.

The Court is in receipt of a letter from the Bureau of Prisons, [ECF No. 87], in which it requests that the Court vacate its prior order, [ECF No. 86], where the Court allowed an assented to motion, [ECF No. 85], to direct the prison where Defendant is currently housed to allow him to watch his father's funeral remotely from the prison. Because it was an assented to motion, the Court assumed jurisdiction without giving it adequate attention. As the Bureau of Prisons correctly points out, this Court is without jurisdiction given that the Defendant is being housed outside of Massachusetts. See Rumsfeld v. Padilla, 542 U.S. 426, 445–48 (2004); Graham v. Sabol, 734 F.Supp.2d 194, 201–204 (D. Mass. 2010); Baez-Figueroa v. Att'y Gen. of Puerto Rico, No. 14-cv-1600, 2015 WL 5436910, at *6 (D.P.R. Sept. 15, 2015). The Court's prior order, [ECF 86], is therefore VACATED and the motion, [ECF No. 85], is DENIED for lack of jurisdiction. Should the Defendant wish to pursue this request, the motion must be filed in New Hampshire.

SO ORDERED.

May 13, 2022

/s/ 
ALLISON D. BURROUGHS
U.S. DISTRICT JUDGE